

ORDINANCE NO. _____

1 AN ORDINANCE amending Title 27 of the Lincoln Municipal Code by adding a
2 new section numbered 27.03.633 to provide a definition for “tree service”; amending Section
3 27.07.040 to add tree service as a permitted special use in the AG Agriculture District; adding a new
4 section numbered 27.63.770 to establish conditions for the approval of tree service as a special
5 permitted use in the AG Agriculture District; and repealing Section 27.07.040 of the Lincoln
6 Municipal Code as hitherto existing.

7 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

8 Section 1. That Chapter 27.03 of the Lincoln Municipal Code be amended by adding
9 a new section numbered 27.03.633 to read as follows:

10 **27.03.633 Tree Service.**

11 Tree service shall mean a building or premises used primarily in support of a business
12 engaged in tree and stump removal, tree and shrub trimming, stump grinding, pin oak injection,
13 insect and disease control, tree nutrients, processing wood chips and firewood, and land clearing.
14 The premises may be used for the processing and storage of tree related products and byproducts
15 produced only by the business located on the premises and the parking of trucks, grinders and related
16 equipment, but no retail sales of products shall be allowed on the premises.

17 Section 2. That Section 27.07.040 of the Lincoln Municipal Code be amended to
18 read as follows:

27.07.040 Permitted Special Uses.

A building or premises may be used for the following purposes in the AG Agriculture District if a special permit for such use has been obtained in conformance with the requirements of Chapter 27.63:

- (a) Private schools;
- (b) Recreational facilities;
- (c) Dwellings for members of religious orders;
- (d) Broadcast towers and stations;
- (e) Campgrounds;
- (f) Veterinary facilities;
- (g) Confined feeding facilities for livestock or poultry in excess of 15,000 square feet in area; in those parts of the AG Agriculture District designated "agricultural" on the future county land use map (Fig. 17) of the Lincoln-Lancaster County Comprehensive Plan (which for this purpose only is hereby incorporated herein by reference);
- (h) Mining or extraction of minerals from any portion of the district, and the storage and processing thereof;
- (i) Sale barns;
- (j) Garden centers;
- (k) Facilities for the commercial storage or sale of fertilizer or toxic or flammable agricultural chemicals;
- (l) Church steeples, amateur radio antenna installations, towers, and ornamental spires which exceed the maximum district height;
- (m) Expansion of nonconforming use;

- 1 (n) Historic preservation;
- 2 (o) Community unit plans shall be permitted in conformance with provisions of Chapter
- 3 27.65;
- 4 (p) Public utility purposes;
- 5 (q) Private landing strips and appurtenances;
- 6 (r) Limited landfills;
- 7 (s) Race tracks for motorized vehicles;
- 8 (t) Temporary storage of construction equipment and materials;
- 9 (u) Early childhood care facilities with sixteen or more children, or with fifteen or fewer
- 10 children not meeting the specified conditions for a permitted conditional use under Section
- 11 27.07.030;
- 12 (v) Clubs;
- 13 (w) Dwelling units for domestic employees in accessory buildings;
- 14 (x) Heritage centers;
- 15 (y) Community halls;
- 16 (z) Tree service.

17 Section 3. That Chapter 27.63 of the Lincoln Municipal Code be amended by adding

18 a new section numbered 27.63.770 to read as follows:

19 **27.63.770 Permitted Special Use: Tree Service.**

20 Tree service may be allowed by Special Permit in the AG zoning district under the following

21 conditions:

- 22 (a) Residential uses occupied by owner/caretaker shall be permitted.

1 (b) Where a prior special permit has been approved on an undersized lot, the lot may be
2 used for this special permit.

3 (c) The City Council may require screening or buffering from adjacent uses.

4 Section 4. That Section 27.07.040 of the Lincoln Municipal Code as hitherto existing
5 be and the same is hereby repealed.

6 Section 5. That this ordinance shall take effect and be in force from and after its
7 passage and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2006:

Mayor